UTILITY PATENT APPLICATION TRANSMITTAL (Larg Entity)

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Docket No. 0701.026F

Total Pages in this Submission
4

## TO THE COMMISSIONER FOR PATENTS

Mail Stop Patent Application P.O. Box 1450 Alexandria, VA 22313-1450

				Alex	andria, VA 22313-1450					
				U.S.C. 11	1(a) and 37 C.F.R. 1.53	3(b) is a new utility patent a	pplication for an			
invention entitled:  METHODS FOR TREATING GASTRIC DISORDERS USING OPTICALLY PURE (-) PANTOPRAZOLE										
IVIE	Ino	DO L	OR TREATING GAST	KIC DISON	DEKS USING OPTICA	LLY PURE (-) PANTOPRA	ZOLE			
							0			
							Fe =			
and in	404									
Nancy M. Gray							775			
							135			
If a C	ONT	INUA	TION APPLICATION,	check appr	opriate box and supply	the requisite information:				
<b>X</b> (	Conti	nuat	ion 🗌 Divisional	☐ Conti	nuation-in-part (CIP)	of prior application No.:	10/256,518			
Whic	h is a	:				_	· · · · · · · · · · · · · · · · · · ·			
☑ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.:							09/783,683			
Whic	h is a	:			. ,					
<b>X</b> (	Conti	nuat	ion 🗌 Divisional	☐ Conti	nuation-in-part (CIP)	of prior application No.:	09/268,388			
			_	_	,		07.200,000			
Enclo	sed a	are:		Λ	ulication Florecuto					
				Ар	plication Elements					
1.	X	Filir	g fee as calculated and	d transmitte	d as described below					
	-	_								
2.	×	Spe	Specification having18		pages and ir	ncluding the following:				
	a.	X	Descriptive Title of the Invention							
	b.	X	Cross References to Related Applications (if applicable)							
	C.		Statement Regarding Federally-sponsored Research/Development (if applicable)							
	d.		Reference to Sequence Listing, a Table, or a Computer Program Listing Appendix							
	e.	$\boxtimes$	Background of the Invention							
	f.	X	Brief Summary of the Invention							
	g.		Brief Description of the Drawings (if filed)							
	h.	X	Detailed Description							
	i.	×	Claim(s) as Classified Below							
	j.	X	Abstract of the Disclosure							

## UTILITY PATENT APPLICATION TRANSMITTAL (Large Entity)

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Docket No. 0701.026F

Total Pages in this Submission 4

Application Elements (Continued)										
3.		Drawing(s) (when necessary as prescribed by 35 USC 113)								
	a.	☐ Formal Number of Sheets								
	b.									
4.	X	Oath or Declaration								
	a.	☐ Newly executed (original or copy) ☐ Unexecuted								
	b.	☑ Copy from a prior application (37 CFR 1.63(d)) (for continuation/divisional application only)								
	C.	. ☑ With Power of Attorney ☐ Without Power of Attorney								
	d.	☐ <u>DELETION OF INVENTOR(S)</u> Signed statement attached deleting inventor(s) named in the prior application, see 37 C.F.R. 1.63(d)(2) and 1.33(b).								
5.		Incorporation By Reference (usable if Box 4b is checked) The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.								
6.		CD ROM or CD-R in duplicate, large table or Computer Program (Appendix)								
7.	X	Application Data Sheet (See 37 CFR 1.76)								
8.		Nucleotide and/or Amino Acid Sequence Submission (if applicable, all must be included)								
	a.	□ Computer Readable Form (CRF)								
	b.	☐ Specification Sequence Listing on:								
		i. CD-ROM or CD-R (2 copies); or								
		ii. 🔲 Paper								
	C.	☐ Statement(s) Verifying Identical Paper and Computer Readable Copy								
		Accompanying Application Parts								
9.		Assignment Papers (cover sheet & document(s))								
10.		37 CFR 3.73(B) Statement (when there is an assignee)								
11.		English Translation Document (if applicable)								
12.	$\boxtimes$	Information Disclosure Statement/PTO-1449								
13.		Preliminary Amendment								
14.	X	Return Receipt Postcard (MPEP 503) (Should be specifically itemized)								
15.		Certified Copy of Priority Document(s) (if foreign priority is claimed)								
16.	X	Certificate of Mailing								
		☐ First Class ☒ Express Mail (Specify Label No.): EV 244384809 US								

# UTILITY PATENT APPLICATION TRANSMITTAL (Large Entity)

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Docket No. 0701.026F

Total Pages in this Submission

## **Accompanying Application Parts (Continued)**

7.		Additional Enclosures (please identify below):					
	J						
		Request That Application Not Be Published Pursuant To 35 U.S.C. 122(b)(2)					
3.		Pursuant to 35 U.S.C. 122(b)(2), Applicant hereby requests that this patent application not be published pursuant to 35 U.S.C. 122(b)(1). Applicant hereby certifies that the invention disclosed in this application has not and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication of applications 18 months after filing of the application.					
		Warning					
		An applicant who makes a request not to publish, but who subsequently files in a foreign country or under a multilateral international agreement specified in 35 U.S.C. 122(b)(2)(B)(i), must notify the Director of such filing not later than 45 days after the date of the filing of such foreign or international application. A failure of the applicant to provide such notice within the prescribed period shall result in the application being regarded as abandoned, unless it is shown to the satisfaction of the Director that the delay in submitting the notice was unintentional.					

# UTILITY PATENT APPLICATION TRANSMITTAL (Large Entity)

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Docket No. 0701.026F

Total Pages in this Submission

### **Fee Calculation and Transmittal**

		CLAIMS A	AS FILED.			· · · · -
For	#Filed	#Allowed	#Extra		Rate	Fee
Total Claims	9	- 20 =	0	х	\$18.00	\$0.00
ndep. Claims	2	- 3 =	0	×	\$86.00	\$0.00
Multiple Dependent	Claims (check	if applicable) [				\$0.00
					BASIC FEE	\$770.00
OTHER FEE (speci	fy purpose)					\$0.00
-			<del>-</del>	•	TOTAL FILING FEE	\$770.00
as described bel  Charge t  Credit at  Charge t	ereby authorized ow. the amount of my overpayment. any additional fill the issue fee set to 37 C.F.R. 1.3	to charge and c a ing fees required in 37 C.F.R. 1.18	s filing fee. under 37 C.I at the maili —	Accourt.	6 and 1.17. e Netice of Allowance,  Signature	
			H	ESLIN 1	ROTHENBERG FARLEY &	& MESITI P.C.

CC:

5 Columbia Circle Albany, New York 12203

Phone: 518-452-5600 Fax: 518-452-5579

### CERTIFICATE OF MAILING BY "EXPRESS MAIL"

Applicant: Nancy M. Gray

Title: METHODS AND COMPOSITIONS FOR TREATING GASTRIC DISORDERS USING

OPTICALLY PURE (-) PANTOPRAZOLE

Attorney Docket No.: 0701.026F

"EXPRESS MAIL" Mailing Label No.: EV 244384809 US

Date of Deposit: January 14, 2004

#### Enclosed are:

\* Express Mail Certificate - Label No.: EV 244384809 US

- \* One (1) Acknowledgment Postcard
- \* Certificate of Mailing by Express Mail (1 sheet)
- \* Check for \$770.00 (Utility Patent Application Filing Fee) (Large Entity)
- \* Utility Patent Application Transmittal (Large Entity) (4 pages)
- \* Utility Patent Application (18 pages)
- \* Copy of Executed Declaration and Power of Attorney from prior application (2 pages)
- \* Copy of Information Disclosure Citation (without references) from prior application (1 page)
- \* Application Data Sheet (2 pages)

### 37 CFR 1.10 Certification

I hereby certify that this paper and the indicated enclosures are being deposited with the U.S. Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and addressed to:

Mail Stop Patent Application Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

### Darlene Novak

(Typed or printed name of person mailing paper or fee)

(Signature of person mailing paper or fee)